

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)
) No. 1:19-mj-00070
v.)
)
DEJUAN ROWLAND) Mag. Judge Christopher H. Steger
)

MEMORANDUM AND ORDER

DEJUAN ROWLAND (“Defendant”) came before the Court for an initial appearance on April 5, 2019, in accordance with rules 5 and 5.1 of the Federal Rules of Criminal Procedure on a Criminal Complaint [Doc. 1].

After being sworn in due form of law, Defendant was informed of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution.

The Court determined Defendant wished to be represented by an attorney and that he qualified for the appointment of an attorney to represent him at government expense. Consequently, the Court **APPOINTED** attorney Jackson Whetsel of Federal Defender Services of Eastern Tennessee Inc. to represent Defendant.

Defendant was furnished with a copy of the Complaint [Doc. 1] and had an opportunity to review that document with his attorney. The Court determined that Defendant was able to read and understand the Petition with the assistance of his counsel. In addition, AUSA Chris Poole explained to Defendant the specific charges contained in the Complaint. Defendant acknowledged he understood the charges in the Complaint.

The Court explained Defendant’s right to a preliminary hearing and detention hearing and what those hearings entail. After conferring with his counsel, Defendant waived the detention hearing and preliminary hearing, but later contacted the Court and requested a preliminary hearing. The Court scheduled the preliminary hearing to take place on April 19, 2019 at 3:00 p.m.

The Court conducted the preliminary hearing as scheduled on April 19, 2019. Defendant was again represented by Jackson Whetsel at the hearing, while the Government was represented by AUSA Chris Poole. The Government relied upon the testimony of ATF Special Agent Chris Moon. Special Agent Moon testified to the events contained in the Affidavit in Support of Criminal Complaint [Doc. 1], *to wit*, on April 4, 2019, Defendant contacted an undercover ATF agent about purchasing a Glock 9mm pistol for \$250. Defendant agreed to meet the ATF agent at the Staybridge Suites on Shallowford Road in Chattanooga. The

meeting took place at 12:45 p.m. on that same date. Defendant gave the ATF agent \$250 and picked up the bag containing the Glock 9mm pistol. Defendant removed the gun from the bag and "dry-fired" it, after which he took the gun back to his vehicle. Defendant was then arrested, and the firearm and Defendant's cell phone were confiscated. Defendant pled guilty to a felony on November 28, 2018, so he was a convicted felon at the time he attempted to purchase a firearm from an undercover ATF agent. Defendant declined to put on any proof. Following this testimony, counsel for both sides were given an opportunity to argue for and against probable cause.

Having heard and considered the testimony during the preliminary hearing, the Court finds that probable cause exists to demonstrate that Defendant has committed a violation of 18 U.S.C. § 922(g)(1), Possession of Firearm and Ammunition by a Convicted Felon.

It is, therefore, **ORDERED** that:

1. Probable cause exists to hold Defendant to answer the charges outlined in the Criminal Complaint [Doc. 1].
2. Pending further hearings in this case, Defendant shall be **DETAINED IN CUSTODY** by the United States Marshal and produced for future hearings.
3. Defendant's next appearance shall be for his **ARRAIGNMENT** before the undersigned United States Magistrate Judge, United States Courthouse, 900 Georgia Avenue, Chattanooga, Tennessee **on April 25, 2019, at 10:15 a.m.**

ENTER.

/s/ Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE